

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NIKE, INC.,

Plaintiff,

v.

Case No. 1:23-cv-02431-VM

BY KIY, LLC, NICKWON ARVINGER,

and

DAVID WEEKS,

Defendants.

**DECLARATION OF BRIDGETTE GERSHONI IN SUPPORT OF
LETTER MOTION TO SEAL**

I, Bridgette Gershoni, declare as follows:

1. I represent Plaintiff Nike, Inc. (“Nike”) in the above-captioned case and have been admitted before this Court *pro hac vice*. I submit this declaration in support of Nike’s Letter Motion to Seal.

2. Nike is filing a letter to the Court explaining why it cannot at this time certify the close of fact discovery pursuant to Your Honor’s July 11, 2023 Order [ECF No. 97].

3. Nike’s letter and exhibits thereto contain a description of multiple issues that arose during the last week of discovery in this case. The letter describes in detail Mr. Arvinger and Mr. Weeks’s deposition testimony, which have been designated as “HIGHLY CONFIDENTIAL” by counsel for Defendants.

4. Additionally, the letter attaches (i) excerpts from the rough transcripts of Mr. Arvinger and Mr. Weeks’s deposition, and (ii) documents produced by Defendants in this case that are designated as “HIGHLY CONFIDENTIAL.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 31, 2023 in Potomac, Maryland.

Bridgette Gershoni

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